



SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 16th April 2019

Subject: Street Trading
Application for a Static Street Trading Consent

Author of Report: Clive Stephenson

Summary: To consider an application for a Static Street Trading Consent at Tudor Square Sheffield City Centre

Background Papers: As attached
[Street Trading Policy](#)

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER,
HEAD OF LICENSING TO THE LICENSING SUB COMMITTEE**

REF No: 38/19

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING – Daniel Teng

1.0 PURPOSE OF REPORT

1.1 To consider an application for the grant of a Static Street Trading consent to trade at Tudor Square Sheffield.

2.0 INTRODUCTION

2.1 The Council as a Licensing Authority have power under the provision of the 1982 Act to regulate Street Trading in the City.

2.2 A Street Trading Consent is required to trade on any Street (which includes roads, footways, forecourts, or other areas to which the public have access) within the Sheffield City Boundary.

2.3 The Licensing Committee at it's meeting of 29th January 2002 passed the following resolution:

1. That under the provisions of schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982:
 - (a) all streets (which includes roads, footways, forecourts or other areas to which the public have access) within the Sheffield City boundary, shall be designated consent streets and;
 - (b) such street trading designation shall take effect as from the 1st April 2002; and
 - (c) all previous designations in relation to street trading will be rescinded as a result of the designation set out above.
2. The effect of this resolution is that from 1st April 2002, it will be an offence to engage in street trading in any street or any other place identified in the above resolution without being authorised to do so by consent from the City Council.

2.4 A Local Authority may attach conditions to a Street Trading Consent. The conditions may include conditions to prevent obstruction of the street and danger to persons using the street or nuisance or annoyance.

2.5 A Street Trading Consent may only be granted for a maximum period of twelve months.

2.6 There is no appeal procedure against the refusal or revocation of any consent. An applicant may, however apply for judicial review of the Council's decision.

3.0 THE APPLICATION

3.1 The applicant is a Mr Daniel Teng copy of the application is attached at Appendix 'A'.

3.2 The application was submitted on 13th February 2019.

3.3 The application is to Hot Food and Drinks from a mobile unit

Monday to Friday 11.00 to 19.00

Saturday 10.00 to 19.00

Sunday (spring, summer & Autumn) 10.00 to 19.00

3.4 The application was circulated, in the usual manner, to South Yorkshire Police, South Yorkshire Fire and Rescue, Highways and Planning, and City Centre Management.

3.5 No Objections have been received, but comments have been raised by City Centre Management, re the exact location and trading days. A copy of the comments are attached at Appendix B.

4.0 REASONS FOR REFERRAL

4.1 The application has been referred to the Sub-Licensing Committee as the application is for a City Centre site.

4.2 Members should consider all the information provided by the applicant both in their written application and in person at the hearing.

4.3 The applicant and CCM Team has been invited to attend the Licensing Committee hearing. Copies of the invites are attached at Appendix 'C'.

4.4 A copy of the hearing procedure is attached at Appendix 'D'.

5.0 FINANCIAL IMPLICATIONS

5.1 The Street Trading Policy states that fees will be set and reviewed annually on a full cost recovery basis. The level of fee takes into account the location, duration of consent, the trading hours and articles to be sold as well as the enforcement of terms and conditions.

5.2 Fees for static consents are determined at the grant of the application therefore there are no financial implications arising from this report.

6.0 RECOMMENDATIONS

6.1 That Members consider all the relevant information available, any representations that may be made and our policy.

7.0 OPTIONS OPEN TO THE COMMITTEE

- 7.1 To grant the application for a Static Street Trading Consent at Tudor Square.
- 7.2 To grant the application with amendments.
- 7.3 To defer the matter for further consideration.
- 7.4 To refuse the grant of the Static Street Trading Consent .

Steve Lonnia
Head of Licensing
Block C Staniforth Road
Staniforth Road
Sheffield
S9 3HD

16th April 2019

Appendix A

Application and relevant documents

Local Government (Miscellaneous Provisions) Act 1982

AI

Application for a (City Centre – small unit) Street Trading Consent

Notes to Applicant:

All questions must be answered unless otherwise stated.
If relevant questions are not answered, the application will be deemed incomplete and returned to the Applicant.

*I / *WE HEREBY APPLY to the Sheffield City Council for the grant of a (city centre – small unit) street trading consent.

A. THE APPLICANT(S)

		1 st Applicant (Mr/Mrs/Miss/other)	2 nd Applicant (Mr/Mrs/Miss/other)
Q1	Full name(s) of the applicant	Mr Daniel Teng	
Q2	Applicant(s) permanent private address	[REDACTED] Rotherham, [REDACTED]	
Q3	Date of birth	[REDACTED]	
Q4	Nationality and place of birth	British	
Q5	National Insurance No.	[REDACTED]	
Q6	Do you have the legal right to work and live in the UK?	YES Details: UK CITIZEN	
Q7	Have you ever been refused a street trading consent in this or any other area?	NO	
Q8	Telephone No	[REDACTED]	
Q9	Email address	[REDACTED] [REDACTED]	

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B. COMPANY DETAILS (if applying as a Corporate body)

Q10	Name	
Q11	Registered address	
Q12	Registered number	
Q13	Telephone number	
Q14	Email address	
Q15	Please provide details of all Directors (names, addresses, dates of birth and details of any convictions). A separate sheet may be used.	

C. TRADING DETAILS

Q16	Trading Name (if applicable)	Maydan Chinese Street food
Q17	Trading address (if different from above) Post Code	HOT CHILLI, 62 UPPER ALLEN STREET, SHEFFIELD, S3 7GL
Q18	Site to be occupied	TUDOR SQUARE
Q19	Items to be sold (i.e. type of food, jewellery, paintings, etc)	ASIAN WRAPS/ CREPE AND DESSERTS /
Q20	Please specify preferred days of trade:	MONDAY – FRIDAY SATURDAYS
Q21	Please specify preferred hours of trade:	MONDAY TO FRIDAY – 11AM TO 7PM SATURDAY – 10AM TO 7PM SUNDAY (SPRING, SUMMER, AUTUNM) 10AM TO 7PM

D. THE UNIT

Q19	Type: eg barrow / cart, etc.	FOOD TRAILER
Q20	Size of unit	Height: 2300 Width: 1650 Length: 2800

E. CONVICTIONS / CAUTIONS

Q21	Have any of the applicants ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? If the answer is Yes please give full details below:	Applicant 1 Yes [] No [X]	
		Applicant 2 Yes [] No [X]	
Details of previous convictions and/or cautions			
	Date of Conviction	Court of Conviction	Nature of Offence
	Applicant 1		
	Applicant 2		

F. CHECK LIST

The following documents must be attached with this application: (tick)

Non refundable fee of £100	✓
Your current passport	✓
Your current drivers licence	✓
One other proof of identity, showing your name and current address (recent utility bill, bank statement etc)	✓
Right to work documentation (if applicable)	
Two (recent and identical) passport size photographs signed and dated on the reverse as a true likeness.	✓
Photographs of the vehicle / unit, front back and rear.	✓
Details of any food hygiene qualifications (unless trading in non food items)	
If trading in food, confirmation that the business has a food hygiene score rating of 3 or more.	
Confirmation your vehicle meets the quality criteria	✓
Any further information you may wish to submit in support of your application	

The following documents must be forwarded to us before the grant of your consent:
(tick if enclosed with this application)

The remaining quarterly fee or full annual fee.	
Certificate of insurance in respect of the vehicle / unit	
Public liability insurance (minimum of £2,000,000)	
Written confirmation that the vehicle meets the Council's food safety standards	
Waste management contract	
Declare that you have registered as a food business	

G. DECLARATION


Paragraph 10(3) of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 gives the following warning:-

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“Any person who, in connection with an applicationfor a street trading consent, makes a false statement which he knows to be false, in any material respect, or which he does not believe to be true, shall be guilty of an offence.”

I / We,

- declare that all the information I have given in this application is complete and correct;
- declare that I am over 17 years of age (in cases of individual applicants)
- declare I understand and will comply with the Sheffield City Council Street Trading Consent Conditions;
- undertake to pay Sheffield City Council the relevant consent fee in advance whether demanded or not;
- understand that consents are not transferable;
- understand that the Local Authority reserve the right to make further enquiries with South Yorkshire Police as a result of this application as they may consider desirable; and
- understand that giving false information is an offence and may result in prosecution and / or a street trading consent being refused or revoked:

Applicant 1 Signature:  Print name: DANIEL TENG Date: 13/2/19 Capacity:
Applicant 2 Signature: Print name: Date: Capacity:

Please read these notes before completing the application form.

- (a) If there is insufficient room on this form to fully answer the questions; or if you wish to make any further statement in support of your application, please do so on a separate sheet of paper attached to this form.
- (b) None of the information which you supply on (or with) this form will be treated as confidential except where it relates to convictions.
- (c) The Council is under no obligation whatsoever to grant a consent to any person; you will be notified of the result of this application, as soon as possible.



AG



Please return the fully completed form and all attachments to:

**Licensing Service,
Block C, Staniforth Road Depot
Staniforth Road
Sheffield
S9 3HD**

The Service is open from 10am to 4pm, Monday to Friday. Telephone (0114) 2734264

A7



Certificate of Compliance

No. 0B170802.SSIDQ78

Certificate's Holder: Shanghai SiLang Industrial Co., Ltd.
 No. 38 Chen Ge Road, Maogang Town, Songjiang District, Shanghai

Certification ECM Mark:



Product: Food Trailer
 Model(s): SL-1, SL-6, SL-6Z, SL-6Y, SL-6T, SL-6X, SL-6Q, SL-6C, SL-6H, SL-9

Verification to: Standard:
 EN ISO 12100:2010,
 EN 60204-1:2006+A1:2009+AC:2010,
 EN 349:1993+A1:2008, EN ISO 14120:2015,
 EN ISO 13857:2008

related to CE Directive(s):
 2006/42/EC (Machinery)

Remark: The product(s) has been verified on a voluntary basis. The product(s) satisfies the requirements of the Certification Mark of ECM, in reference to the above listed Standard(s). The above Compliance Mark can be affixed on the product(s) accordingly to the ECM regulation about its release and its use. The regulation can be found at www.entecerma.it. This Certificate of Compliance can be checked for validity at www.entecerma.it

This verification doesn't imply assessment of the production of the product(s).

Additional information, clarification about the CE Marking:

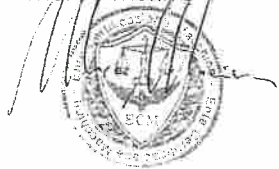


We attest that a TCF for the CE Marking process is in place. Whereas the Manufacturer is Responsible to start the CE Marking Certification Procedure and to perform all the necessary activities, as required by the Directive before placing the CE Mark on the product(s).

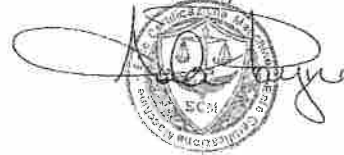
Date of issue 02 August 2017

Expiry date 01 August 2022

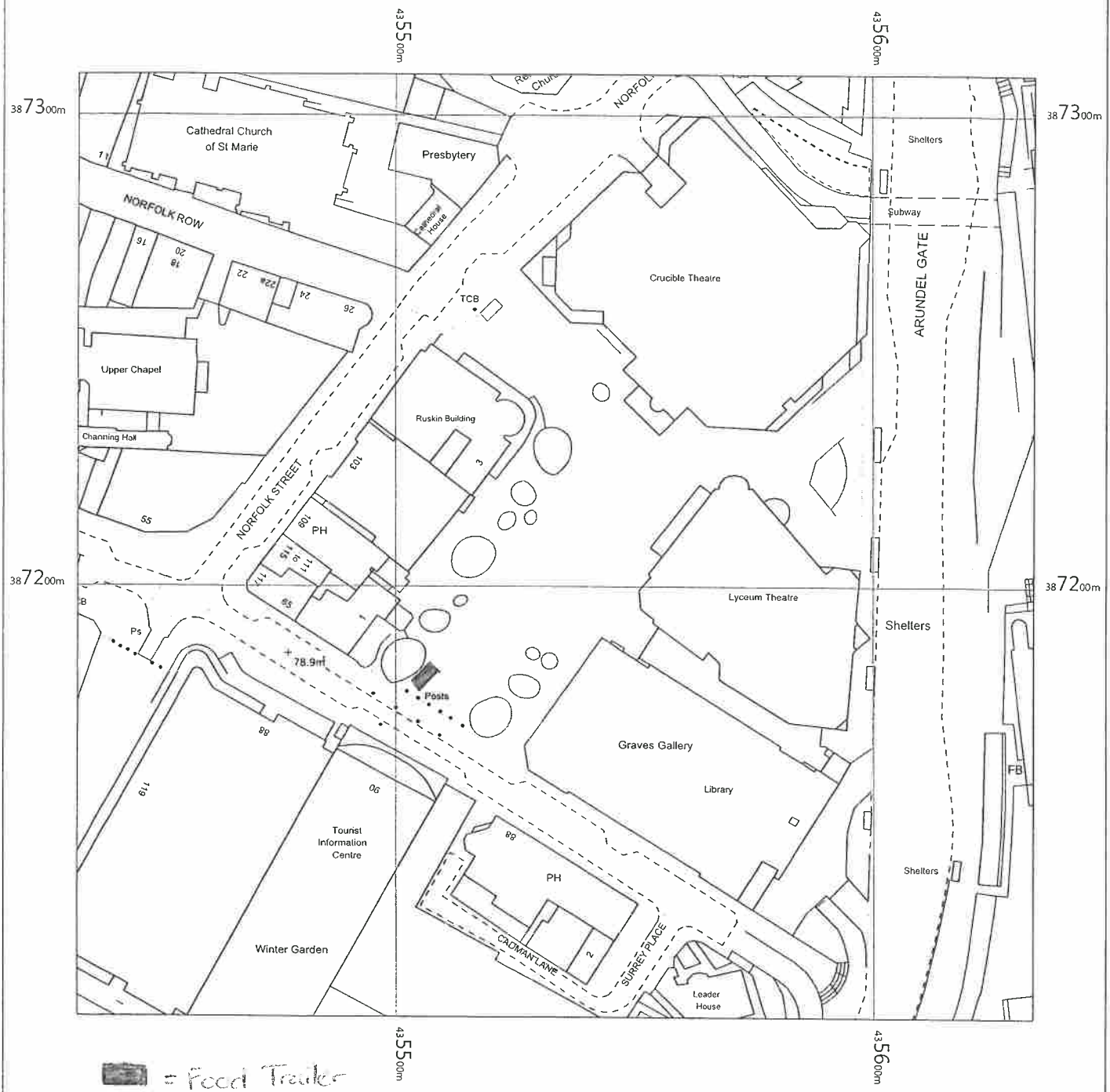
Chief Manager
 Marco Morino




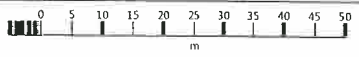
Deputy Manager
 Amanda Payne



Plan (A)



 = Food Trailer Location



Tudor Square
 Sheffield
 S1 2LA

OS MasterMap 1250/2500/10000 scale
 Thursday, February 7, 2019, ID: BW1-00776075
 www.blackwellmapping.co.uk

1:1250 scale print at A4, Centre: 435533 E, 387209 N

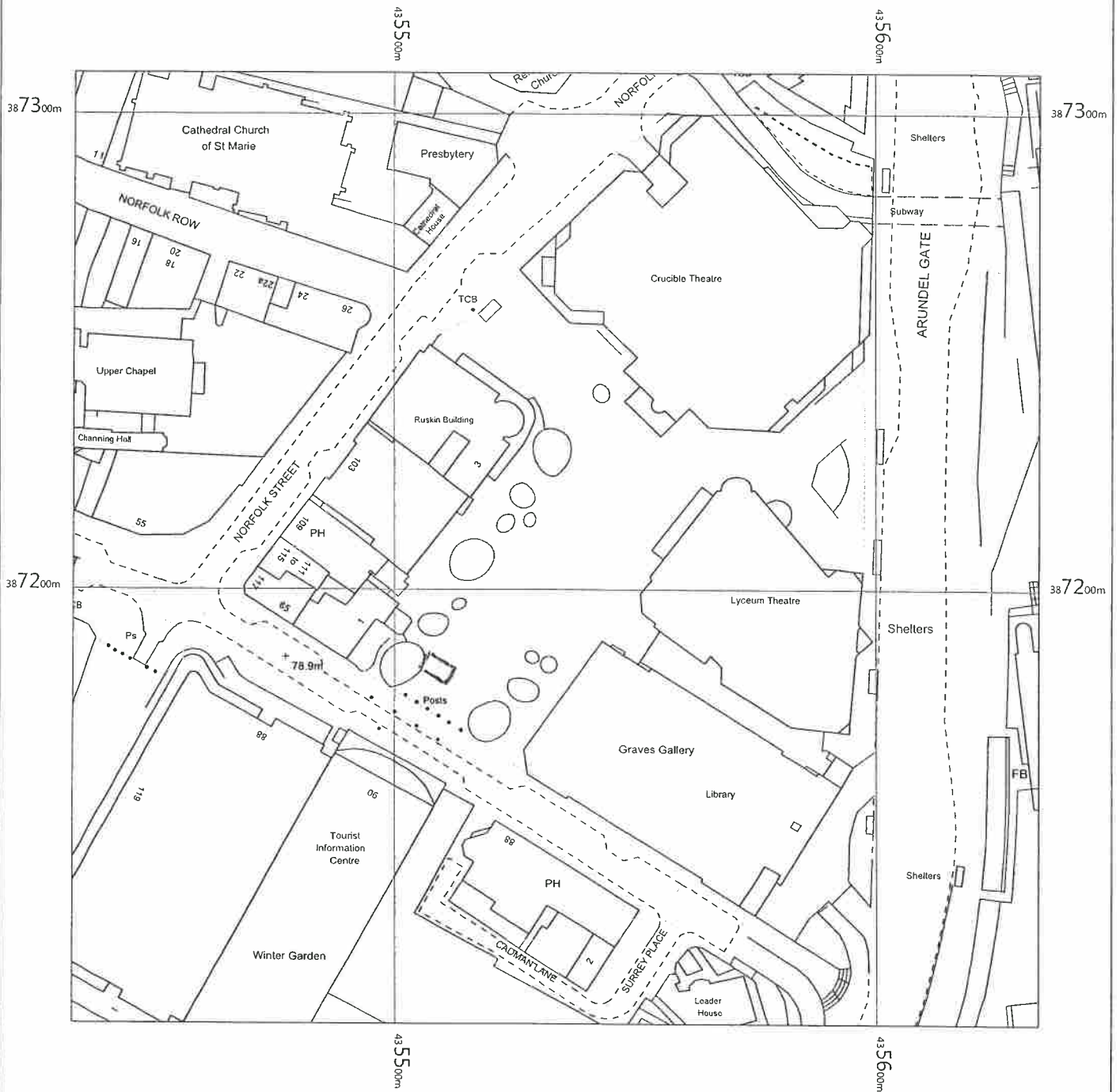
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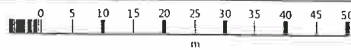
BLACKWELL'S
 www.blackwellmapping.co.uk
 TEL: 0114 268 7658
 maps.sheffield@blackwell.co.uk

Plan B

A9



☐ = Food Trailer



Tudor Square
Sheffield
S1 2LA

OS MasterMap 1250/2500/10000 scale
Thursday, February 7, 2019, ID: BW1-00776075
www.blackwellmapping.co.uk

1:1250 scale print at A4, Centre: 435533 E, 387209 N

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Page 38



BLACKWELL'S
www.blackwellmapping.co.uk

TEL: 0114 268 7658
maps.sheffield@blackwell.co.uk

Appendix B

City Centre
Management comments

Crawshaw Michael (CEX)

From: Wagstaff Natasha
Sent: 26 February 2019 15:56
To: Crawshaw Michael (CEX)
Cc: Gower Angela
Subject: RE: Street Trading City Centre

Hi Mick

As discussed by phone please can you ensure that if/when this consent is granted there is a condition included that they cannot trade for the six week period of the World Snooker Championship. The dates vary slightly each year but would essentially be from early April to mid-May each year. It is part of the city's contract with World Snooker Ltd that the square is given over to their use for the Championships.

Our preference for ease with theatre deliveries and other events that use the square like DocFest and Out Of This World, Half Marathon, etc... would be that the pitch is the existing pitch by the brick planter at the Norfolk St end of the square. This has better footfall at lunchtimes when the busiest trade would be as footfall is much higher on Norfolk St than on Tudor Sq itself.

Hope this all makes sense. Please give me a call if not.

Thanks and best wishes
Natasha

-----Original Message-----

From: Crawshaw Michael (CEX)
Sent: 20 February 2019 15:23
To: City Centre Management Team
Subject: FW: Street Trading City Centre

Good Afternoon

Please find Street Trading City Centre for Daniel Teng

Last Date for Comment 13 March 2019

Mick

Michael Crawshaw
Licensing Analyst & Processing Officer
Licensing Service, Business Strategy & Regulation Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.
Telephone 0114 2734264 Fax 01142734073 Email michael.crawshaw@sheffield.gov.uk or
licensing@sheffield.gov.uk www.sheffield.gov.uk

B2

Crawshaw Michael (CEX)

From: Gower Angela
Sent: 26 February 2019 16:17
To: Crawshaw Michael (CEX)
Subject: FW: Street Trading City Centre
Attachments: scanned-Crawshaw Michael (CEX)-20190215123455.pdf; Tudor Square - Demarcation line.pdf

Importance: High

Hi Michael

Please note that the space at the top of Tudor Square is a Commercial Consent site (see attached) and we have several bookings for it this year including DocFest who also have their own food stalls and tend have a road closure in place for a couple of weeks.

We would prefer if the trading pitch was sited around the corner, near to Norfolk Street as previous.

Kind regards

Angela

-----Original Message-----

From: Crawshaw Michael (CEX)
Sent: 20 February 2019 15:23
To: City Centre Management Team
Subject: FW: Street Trading City Centre

Good Afternoon

Please find Street Trading City Centre for Daniel Teng

Last Date for Comment 13 March 2019

Mick

Michael Crawshaw
Licensing Analyst & Processing Officer
Licensing Service, Business Strategy & Regulation Block C, Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD.
Telephone 0114 2734264 Fax 01142734073 Email michael.crawshaw@sheffield.gov.uk or
licensing@sheffield.gov.uk www.sheffield.gov.uk

Appendix C

Invites to hearing

SHEFFIELD CITY COUNCIL

CI

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading Application – Tudor Square

IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Mr Daniel Teng
Hot Chilli
62 Upper Allen Street
Sheffield
S3 7GL

Email: 

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Tudor Square

I refer to the above and the application for the grant of a static street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details are provided in the report enclosed and to the Committee. The Licensing Committee has the authority to decide what action to take in relation to each application.

The Committee has indicated that it expects applicants and interested parties and objectors to attend the meeting.

The meeting in respect of the application will take place on **Tuesday 16th April 2019** in a Committee Room of the Town Hall, Sheffield, S1 2HH (Pinstone Street entrance) and you are invited to attend at **11:15 am**.

PLEASE NOTE:

I would be grateful if you could confirm that you will be attending the meeting by telephoning the Licensing Office on 0114 2734264.



.....

Steve Lonnia
Chief Licensing Officer
Head of Licensing

Date: 1st April 2019

IMPORTANT: A DECISION IS LIKELY TO BE MADE ON THIS ISSUE WHETHER YOU MAKE REPRESENTATION OR NOT.

Licensing Service, Business Strategy and Regulation, Block C Staniforth Road Depot, Staniforth Road, Sheffield, S9 3HD Telephone 0114 2734264

The Licensing Service Reception is open from 10.00am to 4.00pm, Monday to Friday. Telephone calls can be taken from 09:00am to 5:00pm.

SHEFFIELD CITY COUNCIL

C2

LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1982

Street Trading – Static Street Trading Application – Tudor Square IMPORTANT: NOTIFICATION OF A COMMITTEE MEETING

To: Natasha Wagstaff
City Centre Management
Town Hall
Sheffield

Email: [REDACTED]

LEGISLATION: Local Government (Miscellaneous Provisions) Act 1982

LICENCE TYPE: Street Trading Consent – Tudor Square

I refer to the above and the application for the grant of a static street trading consent.

This matter has been referred to the Licensing Committee of Sheffield City Council for determination. Full details are provided in the report enclosed and to the Committee. The Licensing Committee has the authority to decide what action to take in relation to each application.

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Date: 1st April 2019

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Telephone 0114 2734264

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Appendix D

Hearing procedures

STREET TRADING CONSENT APPLICATION

SUB-COMMITTEE HEARING PROCEDURE

DI

This procedure has been drawn up to assist those parties attending Street Trading Consent Committee hearings.

1. The Chair of the Licensing Committee will introduce the Committee and ask officers to introduce themselves.
2. The Chair will ask the applicants and interested parties to formally introduce themselves.
3. The Solicitor to the Committee will outline the procedure to be followed at the hearing.
4. Hearing Procedure:-
 - (a) The Licensing Officer will introduce the report.
 - (b) Questions concerning the report can be asked both by Members and the applicant.
 - (c) The applicant/consent holder (or his/her nominated representative) will then be asked to:-
 - (i) detail the application;
 - (ii) provide clarification on the application and respond to the representations made.
 - (d) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the applicant and/or his/her representative.
 - (e) Consultees / interested parties will be invited to present their representations or elect a spokesperson (which may be a Councillor) to speak on their behalf. New representations must not be raised.
 - (f) The Chair of the Licensing Committee will invite Members of the Sub-Committee and all other parties present to put any relevant questions to the consultees / interested parties.
 - (g) The consultees / interested parties will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (h) The applicant will be invited to sum up. A maximum of 5 minutes will be allowed.
 - (i) The Licensing Officer will then detail the options.
 - (j) There will then be a private session for Members to take legal advice and consider the application.
 - (k) Once a decision has been reached, all parties will be invited to return. The Sub-Committee's decision and reasons will be announced by the Chair.
 - (l) The Sub-Committee's decision will be confirmed in writing to the applicant and those parties who made representations.

- NB:
- 1) At any time in the Licensing Process Members of the Committee may request legal advice from the Solicitor to the Committee. This advice may be given in open session or in private.
 - 2) The Committee Hearing will be held in public unless and in accordance with the Regulations the Committee determine that the public should be excluded.

There is no right of appeal against the Council's decision to refuse to grant or revoke a Street Trading Consent.